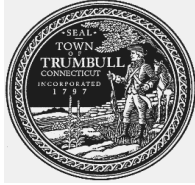


TOWN COUNCIL
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LEGISLATION & ADMINISTRATION COMMITTEE
MINUTES
March 24, 2010

Chairman Suzanne Testani called the Legislation & Administration Committee meeting to order at 7:12 p.m.

Present: Kristy Waizenegger, Chad Ciocci (arrived at 7:40), Mark Altieri and Michael Rappa.

Absent: Jeff Jenkins

Also Present: Mr. Dan Nelson, Chief of Staff, Director of Finance Maria Pires, Town Attorney Edward Walsh, Town Council Chairman Carl Massaro, Jr., Deputy Chief Glenn Byrnes and Mr. Brian Casey of the Trumbull Police Department, and Mr. McVey of the CT Alarm System Integrators Association.

1. RESOLUTION TC23-52: Moved by Ms. Waizenegger, seconded by Mr. Altieri.

BE IT RESOLVED, WHEREAS, pursuant to CGS Sec. 4-66c, the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and
WHEREAS, it is desirable and in the public interest that the Town of Trumbull make an application to the State for \$82,000 in order to undertake the Renovation and Expansion of the Trumbull Animal Shelter and to execute an Assistance Agreement

NOW, THEREFORE, BE IT RESOLVED BY THE Trumbull Town Council

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by Urban Act, CGS Section 4-66c.
2. That the filing of an application for State financial assistance by Town of Trumbull in an amount not to exceed \$82,000 is hereby approved and that First Selectman Timothy M. Herbst is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to

provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the Town of Trumbull.

Ms. Pires explained that this resolution represents a required signature change and insertion of the current first selectman's name, Timothy M. Herbst.

VOTE: Motion to recommend was approved unanimously.

2. RESOLUTION TC 23-27: Moved by Mr. Altieri, seconded by Ms. Waizenegger.
BE IT RESOLVED AND ORDAINED, That the False Alarm Abatement Ordinance be and is hereby approved.

A revised copy of the Alarm Abatement Ordinance was distributed to the L&A Committee members. The town attorneys have reviewed the ordinance, the *non-payment violation – no-service section* has been removed from the ordinance and a civil penalty has been added. The civil penalty is as follows: Non-payment will result in 1½ % interest added per month; plus attorneys' fees and the cost of collection. Attorney Walsh confirmed that the \$10.00 fee had been included in the language of the ordinance and that the fines are in accordance with other towns. In regard to the appeal process, State Statute 7-152C has been added to protect the town's interest.

Mr. Casey noted that the alarm administration may be handled in-house and would estimate the administrative time of 8 hour per week, approximately two ½ days per day.

Mr. Altieri suggested a one-time fee greater than the proposed \$10.00 fee. The one time fee would off-set initial start-up administrative costs. Mr. Casey pointed out that there is a value to an annual registration. Due to the fact that Trumbull is a transient town; the annual registration will also update the information on file on a yearly basis. Mr. Casey confirmed that the police department already has the tracking software in place. This purpose of the ordinance is to reduce the number of false alarms per year, two police officers are sent to each of these alarm calls. There are 2800 alarm calls per year, which is 14% of all the department's calls of service, second only to motor vehicle stops. 467 addresses generate 2 or more alarm calls. There were 220 addresses which had 2 alarm calls and 106 addresses which were 3 alarm calls in a year's time. Westfield Mall had 174 alarm calls of their own.

Mr. Rappa spoke against the registration fee and could possibly agree with the one-time fee in a greater amount of \$10.00, cautioning that the annual fee may create a full-time administrative position and would also like to see the ordinance reduced to 2 pages. The ordinance may discourage people from alarming their homes.

Mr. McVey of the CT Alarm System Integrators Association noted that the registration fee varies from town to town, but it is an absolute must for the residents to register and update the information yearly, some towns charge a fee others do not, the idea of keeping the fee low places a monetary value to the registration and the residents know it is something that has to be done, with no fee it can be forgotten about. Mr. McVey stated that this ordinance will allow the police department to determine the number of alarms in town, and will then be able to track the number of false alarm ratio to how effective the ordinance is. Mr. Altieri spoke in favor of the one-time registration fee and how it would not be as burdensome administratively.

Atty. Walsh had spoken with other municipalities, Fairfield, Newtown and a number other towns regarding the ordinance's history and all spoke in favor of the ordinance.

Mr. Ciocchi arrived at 7:40 p.m.

VOTE: Motion to recommend was approved 3-1-1 (Rappa against) (Ciocchi abstain)

3. RESOLUTION TC23-53: Moved by Mr. Ciocchi, seconded by Mr. Rappa.

BE IT RESOLVED, That pursuant to Public Act 09-60, the Town of Trumbull Tax Assessor shall not be required to effect a revaluation of real property prior to the 2011 assessment year.

No one was present to speak to the resolution.

Mr. Altieri moved, seconded by Mr. Ciocchi to hold Resolution TC 23-53 in committee.

VOTE: Motion to hold in committee was approved unanimously.

4. RESOLUTION TC23-54: WITHDRAWN

5. RESOLUTION TC23-55: Moved by Mr. Rappa, seconded by Mr. Altieri.

BE IT RESOLVED, That it is in the best interests of the Town of Trumbull to enter into contracts with the Department of Environmental Protection.

In furtherance of this resolution, Timothy M. Herbst the First Selectman is duly authorized to enter into and sign said contracts on behalf of the Town of Trumbull.

The first selectman is further authorized to provide such additional information and execute such other documents as may be required by the state or federal government in connection with said contracts and to execute any amendments, recisions, and revisions thereto.

Mr. Tim Hampford of the WPCA explained that they had met early along with Wright-Pierce Waste Water & Infrastructure Engineers with the DEP and were made aware that there was grant available for the Clean Water Fund, 55% funding available from the state for these types of two studies. The state has been funding this since the early 1980's and it is highly unlikely that the state would stop funding. The resolution will put them on the list and when the money becomes available they will receive it according to which place they are on the list. Mr. Hampford stated that the contracts are existing; and would be adding parties. There are 2 studies which have already begun, they have been approved and funded; they have been combined, the facilities planning study & the infiltration study. Wright-Pierce was selected to do the study, the 2 studies were combined, but the contracts are separate from one another. The existing contracts with WPCA and Wright-Pierce are the signing parties and would become part of a 3 party contract. The contracts have already been in place and have been reviewed by the attorneys. The Finance Committee requested a copy of the contract be forwarded to them for their review. Ms. Pires reported that there was a resolution of the Town Council passed in November 2009 approving the appropriating \$85,000 from the WPCA Professional Services for the facility study. Mr. Hampford confirmed the funding had been approved.

Ms. Waizenegger moved, seconded by Mr. Altieri to send Resolution TC23-55 without recommendation pending review of the contract.

VOTE: Motion was approved unanimously.

Addendum Item

1. RESOLUTION TC23-56: Moved by Ms. Waizenegger, seconded by Mr. Altieri.

BE IT RESOLVED, That the First Selectman, Timothy M. Herbst, is authorized to negotiate and execute all necessary agreement/contract documents on behalf of the Town of Trumbull with the Department of Transportation of the State of Connecticut and to affix the corporate seal.

Mr. Nelson stated that this resolution is regarding the Senior Center and represents a required signature change and insertion of the current first selectman's name, Timothy M. Herbst.

VOTE: Motion to recommend was approved unanimously.

Respectfully submitted,

Margaret D. Mastroni
Town Council Clerk